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84TH CONGRESS
1ST SESSION

H. R. 7034

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 1955

Mr. KILGORE introduced the following bill; which was referred to the Committee on Government Operations

A BILL

To provide permanent authority for the relief of certain disbursing officers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) whenever (1) any deficiency exists or occurs in
4 the official disbursing accounts of any disbursing officer or
5 former disbursing officer of any department, agency, or
6 independent establishment of the Government in consequence
7 of the making of any illegal, improper, or incorrect pay-
8 ment, and (2) the Comptroller General or any officer of
9 the General Accounting Office designated by the Comptroller
10 General determines, upon his own motion or upon written
11 findings and recommendations made by the head of the

1 department, agency, or independent establishment concerned,
2 or his designees for that purpose, that such payment was
3 not the result of bad faith or lack of due care on the part
4 of such disbursing officer, the Comptroller General or his
5 designee is authorized in his discretion to relieve such dis-
6 bursing officer of accountability and responsibility, and
7 allow credit in his official disbursing accounts, for such de-
8 ficiency. Such relief may be denied in any case in which
9 the Comptroller General or his designee determines that the
10 department, agency, or independent establishment concerned
11 has not diligently pursued collection action in accordance
12 with procedures prescribed by the Comptroller General.

13 (b) Nothing contained in this section shall (1) affect
14 the liability, or authorize the relief, of any payee, beneficiary,
15 or recipient of any illegal, improper, or incorrect payment,
16 or (2) relieve any such disbursing officer, the head of any
17 department, agency, or establishment, or the Comptroller
18 General of responsibility to pursue collection action against
19 any such payee, beneficiary, or recipient. This section shall
20 not deprive any such disbursing officer of any right which he
21 otherwise may have to obtain relief by any other means
22 with respect to any illegal, improper, or incorrect payment.

23 (c) Whenever it is necessary in the opinion of the
24 Comptroller General to restore or otherwise adjust in the
25 account of any disbursing officer any amount as to which

1 relief is granted under this section, such amount, unless
2 another appropriation is specifically provided therefor, shall
3 be charged to the appropriation or fund available for the
4 expense of the disbursing function at the time the adjustment
5 is effected.

6 SEC. 2. (a) The Act entitled "An Act to authorize relief
7 of disbursing officers of the Army on account of loss or
8 deficiency of Government funds, vouchers, records, or papers
9 in their charge", approved December 13, 1944 (58 Stat.
10 800 as amended; 31 U. S. C. 95a), is amended to read as
11 follows:

12 "That whenever (1) any disbursing officer of the
13 Army, Navy, Air Force, or Marine Corps incurs or has
14 incurred a physical loss or deficiency of any Government
15 funds, vouchers, records, or papers in his charge and (2) the
16 Secretary of the department concerned determines that such
17 loss or deficiency occurred while the officer was in line of his
18 duty and that such loss or deficiency occurred without fault
19 or negligence on his part, the General Accounting Office
20 shall relieve such officer of the liability for such loss or de-
21 ficiency, or authorize the reimbursement, from any appro-
22 priation or fund made available for that purpose, of amounts
23 paid by or on behalf of such officer in restitution of such loss
24 or deficiency. Any determination made by the Secretary
25 of the department concerned under this Act shall be con-

1 exclusive upon the General Accounting Office. No relief may
2 be granted under this Act with respect to any deficiency in
3 the accounts of any disbursing officer which results from any
4 illegal or erroneous payment. This Act shall not deprive
5 any disbursing officer of any right which he otherwise may
6 have to obtain relief by any other means with respect to
7 any loss or deficiency covered by this Act.”

8 (b) No reimbursement shall be made under the amend-
9 ment made by subsection (a) for any loss or deficiency
10 occurring before the date of enactment of this Act.

11 SEC. 3. The second paragraph under the heading “Pay,
12 miscellaneous”, of the first section of the Act of July 11,
13 1919 (41 Stat. 132, as amended; 31 U. S. C. 105) is here-
14 by repealed.

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By Mr. KUGORE

JUNE 27, 1955

Referred to the Committee on Government Operations

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued July 8, 1955
For actions of July 7, 1955
84th-1st, No. 115

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HIGHLIGHTS: Senate committee reported bills to increase funds for Public Law 480 and transfer its administration to USDA; include onions under CEA; amend Farm Tenant Act; provide for USDA report on tobacco research program; request USDA report on tobacco research program; request USDA report on agricultural weather forecasting. Both Houses agreed to conference report on mutual security bill. House committee ordered reported bill to provide retirement credit for certain State service. House received conference report on public works appropriation bill.

HOUSE

- 1. APPROPRIATIONS.** Received the conference report on H. R. 6766, the public works appropriation bill, which includes funds for the Atomic Energy Commission, the Tennessee Valley Authority, certain functions of the Interior Department, and certain civil functions of the Army (H. Rept. 1085) (p. 8678-83).
Received and agreed to the conference report on H. R. 6829, to authorize certain construction at military, naval, and Air Force installations, including a provision for financing certain military housing by furnishing surplus agricultural commodities (H. Rept. 1083) (pp. 8661-71).
- 2. FOREIGN AID.** Both Houses agreed to the conference report on S 2090, the mutual security aid bill (pp. 8633-5, 8656-9). This bill is now ready for the President. See Digest 114 for statement.
- 3. FOREIGN TRADE.** Passed as reported H. R. 6059, the bill to revise the Philippine Trade Agreements Act (pp. 8648-54).
- 4. PERSONNEL.** The Post Office and Civil Service Committee ordered reported the following bills: H. R. 6590, to prohibit Federal employment to disloyal persons or to those who believe in the right to strike against the Federal

Government; S. 1041, to include certain State service in computation of accrued service toward annuity; S. 1792, to amend the Federal Employees Group Life Insurance Act, regarding assumption of funds of non-profit association of Federal employees (p. D676).

The Post Office and Civil Service Committee recommended that a resolution be introduced giving the committee authority to investigate postal and civil-service matters under its jurisdiction (p. D676).

5. MINING; FORESTS. The Rules Committee reported a resolution waiving points of order and providing for debate on H. R. 6373, to extend programs to encourage the discovery, development, and production of certain domestic minerals (p. 8659).
6. ORGANIZATION. Rep. Reece inserted the statement of Mr. Hoover on June 30, 1955 which marked the end of his chairmanship of the Hoover Commission (pp. 8677-8).
7. RECLAMATION. The Interior and Insular Affairs Committee reported with amendment H. R. 4308, for the relief of desert land entrymen whose entries are dependent upon percolating waters for reclamation (H. Rept. 1084) (p. 8684).
8. LEGISLATIVE PROGRAM. The "Daily Digest" states that the House program will be as follows: "Mon., July 11, the mutual security appropriation bill; Tues., July 12, the Farm Credit Act of 1955; Wed., July 13 and balance of the week, minimum wage bill, Social Security Act amendments for 1955, H. R. 6373, extension of Domestic Minerals Program Act of 1953, and H. R. 7089, the Servicemen's and Veterans' Survivor Benefits Act." (p. D677).
9. WHEAT TRANSPORTATION. Rep. Cannon deplored the shortage of transportation facilities for the new wheat crop and suggested that the Department not ship old grain during the period when the new crop is being prepared for shipment (p. 8471, July 5).
10. FORESTRY. Passed as reported H. R. 605, which would abolish the 80-rod reservation of public ownership between public land claims located on shore waters in Alaska (pp. 8489-90, July 5).
11. ACCOUNTING. As reported (June 29), H. R. 7035 authorizes the Comptroller General to authorize reimbursement from available appropriations or funds of disbursing or other accountable officers or agents for amounts paid by them or in their behalf in restitution of an actual physical loss or deficiency. This would apply to amounts paid by or on behalf of such officers since August 1, 1947, the date of the existing law now authorizing relief but not reimbursement.

As reported (June 29), H. R. 7034 authorizes the Comptroller General to relieve a disbursing officer of accountability and responsibility, and to allow credit in his official disbursing accounts for a deficiency, when it has been determined that such payments were not the result of bad faith or lack of due care on the part of such disbursing officer for whom relief is sought. It further provides that relief may be denied in any case in which the Comptroller General determines that the department or agency concerned has not diligently pursued collection action in accordance with procedures prescribed by the Comptroller General.
12. ADJOURNED until Mon., July 11 (p. 8684).

PROVIDING A PERMANENT AND UNIFORM METHOD FOR RELIEF OF DISBURSING OFFICERS

JUNE 29, 1955.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. DAWSON of Illinois, from the Committee on Government Operations, submitted the following

R E P O R T

[To accompany H. R. 7034]

The Committee on Government Operations, to whom was referred the bill (H. R. 7034) to provide permanent authority for the relief of certain disbursing officers, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

SUMMARY OF PROVISIONS

Section 1 of H. R. 7034 is new legislation. It vests in the Comptroller General of the United States, or his designee, on his own motion, or on the written findings or recommendations made by the head of the department, agency, or independent establishment concerned, or his designees for that purpose, authority to relieve a disbursing officer of accountability and responsibility, and to allow credit in his official disbursing accounts for a deficiency, when it has been determined that such payments were not the result of bad faith or lack of due care on the part of such disbursing officer for whom relief is sought. It further provides that relief may be denied in any case in which the Comptroller General or his designee determines that the department, agency, or independent establishment concerned has not diligently pursued collection action in accordance with procedures prescribed by the Comptroller General. This last-mentioned provision is designed to require prompt action on the part of the agencies to collect amounts due. It is not intended to limit the discretion otherwise granted by H. R. 7034 to the Comptroller General.

Nothing contained in the proposed measure affects the liability, or authorizes relief of any payee, beneficiary, or recipient of any illegal, improper, or incorrect payment, or relieves any disbursing officer, head of department, agency, or establishment, or the Comp-

troller General of responsibility to pursue collection action against the payee, beneficiary, or recipient. However, this proviso does not deprive any such disbursing officer of any right which he otherwise may have to obtain relief by any other means with respect to any illegal, improper, or incorrect payment.

Section 1 (c) of the proposed bill provides that when the Comptroller General restores or adjusts in the account of a disbursing officer any amount for which relief is granted the amount will be charged to the appropriation or fund available for the expense of the disbursing function at the time the adjustment is effected, unless another appropriation is specifically provided therefor.

Section 2 of the proposed bill provides for amending the act entitled "An act to authorize relief of disbursing officers of the Army on account of loss or deficiency of Government funds, vouchers, records, or papers in their charge" approved December 13, 1944 (58 Stat. 800 as amended; 31 U. S. C. 95a). That act grants relief to Army disbursing officers for such actual physical losses upon determination by the Secretary of the Army that the officer was in line of his duty and the loss or deficiency occurred without fault or negligence on his part. While the proposed amendment changes the wording of the act of December 13, 1944, the basic principle is the same. As changed by the present bill (H. R. 7034), provision is made to include the Navy, Air Force, and Marine Corps. The amendment makes the additional provision that upon determination of the Secretary of the department concerned that such loss or deficiency occurred without fault or negligence on the part of the disbursing officer while in line of his duty, the General Accounting Office shall authorize the reimbursement, from any appropriation or fund made available for that purpose, of amounts paid by or on behalf of such officer in restitution of such loss or deficiency and that such determination by the Secretary of the department concerned shall be conclusive upon the General Accounting Office. The conclusive nature of the department head's determination is carried over from the existing law which is being amended.

Section 3 of the proposed legislation will repeal the act of July 11, 1919 (41 Stat. 132; 31 U. S. C. 105), as amended, which confers authority on the Secretary of the Navy to relieve naval disbursing officers for discrepancies in their accounts, which act would be unnecessary if the proposed measure is enacted.

GENERAL STATEMENT

The executive agencies and the Comptroller General reported on this legislation at the request of your committee. All of them recommended the adoption of the legislation.

The purpose of section 1 of this legislation is to provide a permanent and uniform method for relieving disbursing officers of the United States for illegal, improper, or incorrect payments made without fault or negligence on their part. At the present time the only method for obtaining relief in such cases is through the enactment by the Congress of private relief legislation.

The Department of Defense cited the workload and expense involved in the present procedure as follows:

Annually, bills are prepared and submitted for legislative relief for individual disbursing officers. A detailed itemization of each overpayment made by each disbursing officer with a complete description of the overpayment, including de-

tailed accounting references and a statement of the circumstances under which each overpayment occurred, as well as a discussion of the circumstances preventing collection from the respective payees, is required. The workload in the preparation and presentation of these individual relief measures is evidenced by the act of August 31, 1954 (Private Law 957, 83d Cong.), for the relief of Col. Samuel J. Adams, and others. That relief measure involved overpayments in the accounts of 189 disbursing officers of the services concerned representing approximately 1,367 items of overpayments totaling \$122,089.68. Of these items, 487 represented overpayments in amounts of less than \$25. Three such bills as the one cited involving a greater number of disbursing officers with voluminous supporting data are now or soon will be placed before the Congress for action.

Your committee wishes to stress that the authority being granted by section 1 of H. R. 7034 to the Comptroller General is purely permissive and is to be exercised at his discretion. The authority being granted is not intended to excuse cases which involve fraud or negligence in any way. "Illegal" or "improper" payment within the sense of this legislation is one which the Comptroller General finds is not in strict technical conformity with the requirements of law apart from any question of fraud or negligence. In effect this legislation would permit the Comptroller General to provide relief without resorting to private relief bills where payments are made which are not in accordance with administrative regulations prescribed by the Comptroller General of the United States in interpreting statutory law.

Sections 2 and 3 of H. R. 7034 make the same provisions for the Department of Defense with regard to existing law as does H. R. 7035 for all agencies. H. R. 7035 has also been reported favorably by your committee. Section 2 consolidates into one section the authority now contained in two different sections of law and provides for the reimbursement of disbursing officers in the military departments who have made good out of their own pockets for a physical loss or deficiency of any Government funds, vouchers, records, or papers. As your committee has reported in connection with H. R. 7035, the present law contains an inequity in that a disbursing officer or someone in his behalf, who has already made restitution, cannot be reimbursed since the Comptroller General has held in 27 Comptroller General 440 and in several subsequent decisions that present law has no application where an employee has removed the deficiency in his account by making restitution. This legislation would make it unnecessary to enact private relief bills in order to make reimbursement. It would provide a permanent system of reimbursement under the administration of the Comptroller General and the heads of the departments and agencies concerned.

COST OF PROPOSED LEGISLATION

This legislation should not result in any increased cost to the Government. The discretion granted by section 1 to the Comptroller General should merely replace the need for private relief bills which have been utilized up to now. This is a change in procedure which does not involve any reduced liability for individuals nor any change in income to the Government. The authority for reimbursement granted by section 2 only involves nominal amounts and, as indicated in your committee's report on H. R. 7035, some economies should result because existing appropriations would be charged instead of authorizing additional payments in private relief bills. The total amount involved for the Treasury Department at present, for example, is \$12,700, and your committee has been informed that an equally nominal amount would be involved in the Department of Defense

from time to time. There is, of course, no way of fixing prospective amounts due to physical losses of funds or documents.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

That (a) whenever (1) any deficiency exists or occurs in the official disbursing accounts of any disbursing officer or former disbursing officer of any department, agency, or independent establishment of the Government in consequence of the making of any illegal, improper, or incorrect payment, and (2) the Comptroller General or any officer of the General Accounting Office designated by the Comptroller General determines, upon his own motion or upon written findings and recommendations made by the head of the department, agency, or independent establishment concerned, or his designees for that purpose, that such payment was not the result of bad faith or lack of due care on the part of such disbursing officer, the Comptroller General or his designee is authorized in his discretion to relieve such disbursing officer of accountability and responsibility, and allow credit in his official disbursing accounts, for such deficiency. Such relief may be denied in any case in which the Comptroller General or his designee determines that the department, agency, or independent establishment concerned has not diligently pursued collection action in accordance with procedures prescribed by the Comptroller General.

(b) Nothing contained in this section shall (1) affect the liability, or authorize the relief, of any payee, beneficiary, or recipient of any illegal, improper, or incorrect payment, or (2) relieve any such disbursing officer, the head of any department, agency, or establishment, or the Comptroller General of responsibility to pursue collection action against any such payee, beneficiary, or recipient. This section shall not deprive any such disbursing officer of any right which he otherwise may have to obtain relief by any other means with respect to any illegal, improper, or incorrect payment.

(c) Whenever it is necessary in the opinion of the Comptroller General to restore or otherwise adjust in the account of any disbursing officer any amount as to which relief is granted under this section, such amount, unless another appropriation is specifically provided therefor, shall be charged to the appropriation or fund available for the expense of the disbursing function at the time the adjustment is effected.

ACT OF DECEMBER 13, 1944

(58 Stat. 800 as amended; 31 U. S. C. 95a)

[The General Accounting Office shall relieve any disbursing officer of the Army charged with responsibility on account of loss or deficiency while in the line of duty, of Government funds, vouchers, records, or papers in his charge, where such loss or deficiency occurred without fault or negligence on the part of said officer: *Provided*, That the Secretary of the Army shall have determined that the officer was in the line of his duty, and the loss or deficiency occurred without fault or negligence on his part: *Provided further*, That the determination by the Secretary of the Army of the aforesaid questions shall be conclusive upon the General Accounting Office: *And provided further*, That this section shall be applicable only to the actual physical loss of Government funds, vouchers, records, or papers, and shall not include deficiencies in the accounts of disbursing officers of the Army resulting from illegal or erroneous payments.]

(a) That whenever (1) any disbursing officer of the Army, Navy, Air Force, or Marine Corps incurs or has incurred a physical loss or deficiency of any Government funds, vouchers, records, or papers in his charge and (2) the Secretary of the department concerned determines that such loss or deficiency occurred while the officer was in line of his duty and that such loss or deficiency occurred without fault or negligence on his part, the General Accounting Office shall relieve such officer of the liability for such loss or deficiency, or authorize the reimbursement, from any appropriation or fund made available for that purpose, of amounts paid by or on behalf of such officer in restitution of such loss or deficiency. Any determination made by the Secretary of the department concerned under this Act shall be conclusive upon the General

Accounting Office. No relief may be granted under this Act with respect to any deficiency in the accounts of any disbursing officer which results from any illegal or erroneous payment. This Act shall not deprive any disbursing officer of any right which he otherwise may have to obtain relief by any other means with respect to any loss or deficiency covered by this Act.

(b) No reimbursement shall be made under the amendment made by subsection (a) for any loss or deficiency occurring before the date of enactment of this Act.

THE SECOND PARAGRAPH UNDER THE HEADING "PAY, MISCELLANEOUS", OF THE FIRST SECTION OF THE ACT OF JULY 11, 1919

(41 Stat. 132 as amended; 31 U. S. C. 105)

【The General Accounting Office shall relieve any disbursing officer of the Navy charged with responsibility on account of loss or deficiency while in the line of his duty, of Government funds, vouchers, records, or papers, in his charge, where such loss or deficiency occurred without fault or negligence on the part of said officer: *Provided*, That the Secretary of the Navy shall have determined that the officer was in the line of his duty, and the loss or deficiency occurred without fault or negligence on his part. The determination by the Secretary of the Navy of the aforesaid questions shall be conclusive upon the General Accounting Office.】

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84TH CONGRESS
1ST SESSION

H. R. 7034

[Report No. 996]

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 1955

Mr. KILGORE introduced the following bill; which was referred to the Committee on Government Operations

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4 the official disbursing accounts of any disbursing officer or
5 former disbursing officer of any department, agency, or
6 independent establishment of the Government in consequence
7 of the making of any illegal, improper, or incorrect pay-
8 ment, and (2) the Comptroller General or any officer of
9 the General Accounting Office designated by the Comptroller
10 General determines, upon his own motion or upon written
11 findings and recommendations made by the head of the

1 department, agency, or independent establishment concerned,
2 or his designees for that purpose, that such payment was
3 not the result of bad faith or lack of due care on the part
4 of such disbursing officer, the Comptroller General or his
5 designee is authorized in his discretion to relieve such dis-
6 bursing officer of accountability and responsibility, and allow
7 credit in his official disbursing accounts, for such deficiency.
8 Such relief may be denied in any case in which the Comp-
9 troller General or his designee determines that the depart-
10 ment, agency, or independent establishment concerned has
11 not diligently pursued collection action in accordance with
12 procedures prescribed by the Comptroller General.

13 (b) Nothing contained in this section shall (1) affect
14 the liability, or authorize the relief, of any payee, beneficiary,
15 or recipient of any illegal, improper, or incorrect payment,
16 or (2) relieve any such disbursing officer, the head of any
17 department, agency, or establishment, or the Comptroller
18 General of responsibility to pursue collection action against
19 any such payee, beneficiary, or recipient. This section shall
20 not deprive any such disbursing officer of any right which he
21 otherwise may have to obtain relief by any other means
22 with respect to any illegal, improper, or incorrect payment.

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24 Comptroller General to restore or otherwise adjust in the
25 account of any disbursing officer any amount as to which

1 relief is granted under this section, such amount, unless
2 another appropriation is specifically provided therefor, shall
3 be charged to the appropriation or fund available for the
4 expense of the disbursing function at the time the adjustment
5 is effected.

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7 of disbursing officers of the Army on account of loss or
8 deficiency of Government funds, vouchers, records, or papers
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13 Army, Navy, Air Force, or Marine Corps incurs or has
14 incurred a physical loss or deficiency of any Government
15 funds, vouchers, records, or papers in his charge and (2) the
16 Secretary of the department concerned determines that such
17 loss or deficiency occurred while the officer was in line of his
18 duty and that such loss or deficiency occurred without fault
19 or negligence on his part, the General Accounting Office
20 shall relieve such officer of the liability for such loss or de-
21 ficiency, or authorize the reimbursement, from any appro-
22 priation or fund made available for that purpose, of amounts
23 paid by or on behalf of such officer in restitution of such loss
24 or deficiency. Any determination made by the Secretary
25 of the department concerned under this Act shall be con-

1 exclusive upon the General Accounting Office. No relief may
2 be granted under this Act with respect to any deficiency in
3 the accounts of any disbursing officer which results from any
4 illegal or erroneous payment. This Act shall not deprive
5 any disbursing officer of any right which he otherwise may
6 have to obtain relief by any other means with respect to
7 any loss or deficiency covered by this Act.”

8 (b) No reimbursement shall be made under the amend-
9 ment made by subsection (a) for any loss or deficiency
10 occurring before the date of enactment of this Act.

11 SEC. 3. The second paragraph under the heading “Pay,
12 miscellaneous”, of the first section of the Act of July 11,
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"Federal Aid to Agriculture," "The Administrative and Fiscal Impact of Federal Grants-in-Aid," "Civil Defense and Urban Vulnerability," "Federal Responsibility in the Field of Education," "The Impact of Federal Grants-in-Aid on the Structure and Functions of State and Local Governments," "Federal Aid to Welfare," "Local Government," and "Unemployment Compensation and Employment Service." The regular departmental supply of these publications is being obtained directly from the Government Printing Office by the agencies of the Department, and copies are generally not available from this office.

This office has obtained some additional copies of the final report of the entire Commission on Intergovernmental Relations, which was ordered printed as a congressional document. These copies are available, for official purposes, by calling Ext. 4654 or sending to Room 105A.

14. TOBACCO. The Agriculture Committee on Fri., July 15, ordered the following bills reported: H. R. 6845, to amend the Agricultural Adjustment Act relating to national marketing quota for tobacco; and H. R. 6846, amended, and H. R. 6847, amending the Agricultural Act regarding tobacco allotments (pp. D723-4).
15. FARM LOANS. The Agriculture Committee ordered reported on Fri., July 15, H. R. 6914, to amend the Bankhead-Jones Farm Tenant Act, to modify, clarify, and provide additional authority for insurance of loans (p. D724).
16. RICE. The Agriculture Committee ordered reported on Fri., July 15, H. R. 7302, to amend the rice marketing quota provisions of the Agricultural Adjustment Act of 1938 (p. D724).
17. FARM-CITY WEEK. Subcommittee Number 4 of the Judiciary Committee on Fri., July 15, reported to the full committee H. J. Res. 317, to designate the last week of October of each year as National Farm-City Week (p. D725).
18. PERSONNEL. Reps. Davis, Ga., and Cunningham discussed the status of S. 1041, to provide for the inclusion in computation of accredited service of certain State service in retirement provisions, and it was passed over without prejudice (p. 9267).

Rep. Ford requested and it was agreed that S. 1792, to amend the Federal Employees' Group Life Insurance Act of 1954, be passed over without prejudice (p. 9267).

Passed as reported H. R. 6590, prohibiting the Federal employment of disloyal persons (pp. 9270-1).
19. SOCIAL SECURITY. Passed with amendments H. R. 7225, to amend the Social Security Act (pp. 9273-9304). The bill amends the old-age and survivors' insurance system to provide monthly benefits for disabled insured individuals who have attained age 50, a reduction in the benefit eligibility age for women to 62 years, continued monthly benefits for disabled children after they attain age 18, expanded old-age and survivors' insurance coverage, and an adjusted contribution schedule. The bill clarifies the status under old-age and survivors' insurance of individuals who operate farms with the owners or tenants of those farms, under share-farming arrangements, by specifying that these individuals are not employees but are self-employed. It also provides that the exclusion from self-employment earnings of rentals from real estate would not apply to any income derived by an owner or tenant of land from the operation of a farm by another individual under an arrangement which provided for material participation by the owner or tenant in the farm production. It extends coverage to an estimated 20,000 agricultural workers engaged in the production of turpentine and gum naval stores.

20. MINIMUM WAGE. The Rules Committee reported a resolution for debate on and consideration of H. R. 7214, to amend the Fair Labor Standards Act to provide for an increase to \$1 per hour in the minimum wage (p. 9319).
21. PENALTY MAIL. Passed without amendment H. R. 5856, repealing the requirement for heads of departments and agencies to report to the Postmaster General the number of penalty envelopes and wrappers on hand at the close of each fiscal year (p. 9267).
22. ACCOUNTING OFFICERS. Passed without amendment H. R. 7035, authorizing the GAO to provide for relief of an accounting officer for loss of physical property upon determination of the pertinent facts (p. 9262).
23. DISBURSING OFFICERS. Passed without amendment H. R. 7034, authorizing the Comptroller General or his designate to provide relief for disbursing officers for loss of funds upon determination of the pertinent facts (pp. 9262-3).
24. RECLAMATION; ELECTRIFICATION. Reps. Hosmer and Sheppard spoke in opposition to the proposed construction of the upper Colorado River project (pp. 9233-4, 9329-30).
25. HIGHWAYS. The Public Works Committee approved on Fri., July 15, for reporting H. R. 7072, the Federal-aid highway construction bill. The "Daily Digest" states "A clean bill is scheduled to be reported tomorrow (Tues., July 19), which will supersede H. R. 7072 (p. D725).
26. FAO. Received a draft of proposed legislation from the Acting Secretary of State "to amend certain laws providing for membership and participation by the United States in the Food and Agriculture Organization and the International Labor Organization and authorizing appropriations therefor;" referred to the Foreign Affairs Committee (p. 9338).
- AIRPORTS.
27. Passed as reported S. 1855, authorizing the Secretary of Commerce to make grants under the Federal Airport Act, annual contract authority in the amount of \$63 million for each of the fiscal years 1956, 1957, 1958, and 1959 (pp. 9304-11). The Federal Airport Act provides for an integrated national system of airports for air commerce, including "agricultural flying" and further provides that the Secretary of Commerce shall use such authorized funds for projects in "national forests" if deemed appropriate for "carrying out the national airport plan."

SENATE

28. LANDS. The Interior and Insular Affairs Committee reported without amendment H. R. 4894, which would repeal certain obsolete laws relating to disposals of land under the timber and stone laws (S. Rept. 875) (p. 9156).
29. CONTRACTS. Agreed to the conference report on H. R. 4904, to extend the Renegotiation Act of 1951 for two years (pp. 9184-5).
30. DEFENSE PRODUCTION. Sen. Kilgore submitted an amendment he intends to propose to S. 2391, the defense production bill (p. 9159).
31. PAPERWORK. Received from the Hoover Commission part 2 of its task force report on the Nation's Paperwork for Government an Experiment; to Government Operations Committee (p. 9154).

Statutes at Large						U. S. Code	
Date	Chapter	Title	Section	Volume	Page	Title	Section
1950—Mar. 16	61		3, 6	64	20, 22	21	331, 342, 347, 347a, 347b
1951—Oct. 26	578		1, 2, 3	65	648, 649	21	333, 333 note, 353, 353 note
Oct. 30	637		1, 2	65	693, 694	21	114a, 114a-1
Nov. 2	606		1	65	767, 768	21	174
1953—Aug. 5	334		1, 2	67	389	21	352, 357
Aug. 7	350		1, 2, 3	67	476, 477	21	331, 334, 374
Aug. 8	381			67	493, 494	21	114a
Do	394			67	506	21	171
1954—Apr. 15	143		1, 2	68	54, 55	21	341, 371
July 22	558		32, 33	68	510	21	104, 111
Do	559		1, 2, 3, 4, 5	68	511	21	321, 342, 342 note, 346a, 346b
Sept. 3	1263		37	68	1239, 1240	21	337

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent to insert in the RECORD at this point a statement from the Department of Agriculture with reference to the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

(The matter referred to follows:)

The Department of Agriculture has numerous suggestions for changes in H. R. 6991 which they believe desirable to accomplish the purposes of the bill and to avoid certain problems that may arise under the present language of the bill. The Committee on the Judiciary of the House of Representatives has not had an opportunity to consider these suggestions. There is no objection to the placing of this bill on the consent calendar at this time, however, because it is understood that the Department of Agriculture and members of the staff of the House committee are to bring the Department's position to the attention of the Committee on the Judiciary of the Senate for consideration when the bill is before the Senate. In order that the record may be clear, the Department of Agriculture amendments will be submitted to the Senate Committee on the Judiciary at the proper time.

TO REVISE, CODIFY, AND ENACT INTO LAW TITLE 10 OF THE UNITED STATES CODE, ENTITLED "ARMED FORCES," and TITLE 32 OF THE UNITED STATES CODE, ENTITLED "NATIONAL GUARD"

The Clerk called the bill (H. R. 7049) to revise, codify, and enact into law title 10 of the United States Code, entitled "Armed Forces," and title 32 of the United States Code, entitled "National Guard."

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. REES of Kansas. Mr. Speaker, I ask that this bill be passed over without prejudice.

Mr. WILLIS. Mr. Speaker, will the gentleman withhold that request?

Mr. REES of Kansas. Yes. Otherwise I should have to object to consideration of the bill. I think it should be amended.

Mr. WILLIS. Mr. Speaker, the gentleman has no objection to the bill being called up later during the day?

Mr. REES of Kansas. Yes. I feel I shall have to object to its being called up for approval. I am asking only unanimous consent that this bill be passed over without prejudice.

Mr. WILLIS. Mr. Speaker, this bill has been on the calendar for 3 weeks. I should like to talk to the gentleman before he makes his objection.

Mr. REES of Kansas. I shall be glad to do that. I should like to call to the attention of the House that this is a bill of something over 700 pages. It needs some explanation.

Mr. WILLIS. I shall be glad to explain that to the gentleman. I should be glad to do that now, if the gentleman wishes. This is a bill to codify the military law. This has been under consideration for 8 years. It has the approval of the Department of Defense, of the Secretaries of the Army, of the Navy, and of the Air Force, and of the Department of Justice, we are advised by the Committee on Armed Services. It is necessarily lengthy, but it is purely a codification of the law. It makes no changes in substantive law.

Mr. REES of Kansas. In view of just what the gentleman has said, this bill is entitled to a full and complete explanation before the House. I think these are important omissions.

Mr. WILLIS. These codification bills always come up in this fashion because of the careful screening they receive at the hands of this specially set up committee, which works in close harmony and cooperation with the departments affected, in this case the Department of Defense. As I say, it has the approval of all the agencies concerned, the Department of Justice, the Department of Defense, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force. We have advised with the committee which normally handles legislation along this line, the Committee on Armed Services. Of necessity this is a long bill, but it has been under study for all these years. We just passed a codification of the Food and Drug Act. All these bills have been considered on the floor by consent in the past. In view of the interest of the departments in this bill, I am afraid we are running short of time. That is why I hoped the gentleman might permit me to talk to him before he insists on his objection.

Mr. REES of Kansas. I shall be glad to talk with the gentleman. Mr. Speaker, I renew my request only that the bill

be passed over at this time without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

ARKANSAS-MISSISSIPPI BRIDGE COMMISSION

The Clerk called the bill (H. R. 6417) to revive and reenact the act authorizing the Arkansas-Mississippi Bridge Commission, its public successors or public assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark., approved May 17, 1938.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act approved May 17, 1939, authorizing the Arkansas-Mississippi Bridge Commission, its public successors or public assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark., as amended, be and is hereby revived and reenacted: *Provided,* That this act shall be null and void unless the actual construction of the bridge herein referred to be commenced within 2 years and completed within 4 years from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMERICAN NATIONAL RED CROSS

The Clerk called the bill (H. R. 3757) to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to donate certain property to the American National Red Cross.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, is amended by renumbering subsection (1) of section 203 as subsection "(m)" and adding subsection (1) as follows:

"(1) Under such regulations as he may prescribe, the Administrator is authorized in his discretion to donate to the American National Red Cross, for charitable purposes, such property, which was processed, produced, or donated by the American National Red Cross, as shall have been determined to be surplus property."

With the following committee amendments:

Page 1, line 5, after "numbering", delete "subsection" and insert in lieu thereof "subsections". Make the same change after "as."

After "(1)", insert a comma and the following after the comma "(m), and (n)."

After "'(m)'"', insert a comma and the following after the comma "'(n)', and '(o)'. respectively."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill, S. 614.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, is amended by renumbering subsection (1) of section 203 as subsection "(m)" and adding subsection (1) as follows:

"(1) Under such regulations as he may prescribe, the Administrator is authorized in his discretion to donate to the American National Red Cross, for charitable purposes, such property, which was processed, produced, or donated by the American National Red Cross, as shall have been determined to be surplus property."

Mr. ASPINALL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Page 1, line 5, strike out all after the enacting clause of the bill S. 614 and insert the provisions of the bill H. R. 3757 as amended.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 3757) was laid on the table.

RELIEF OF ACCOUNTABLE OFFICERS OF THE GOVERNMENT

The Clerk called the bill (H. R. 7035) to amend section 1 of the act entitled "An act to authorize relief of accountable officers of the Government, and for other purposes, approved August 1, 1947 (61 Stat. 720)."

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SHEPPARD. Reserving the right to object, and I shall not, Mr. Speaker, I should like to have an explanation of what relief is being granted as set forth in the delineation of this bill.

Mr. KILGORE. This bill was presented to the committee at the request of numerous Government agencies, and came with the approval of the Comptroller General. It is intended to meet a situation in which after approval by the Comptroller General the Congress may now consider specific individual relief bills, but this bill gives to the Comptroller General the authority to do

that same thing without the necessity of the passage of individual relief bills on the part of the Congress.

Mr. SHEPPARD. It does not disturb the original act that has to do with the requirements and responsibilities of disbursing officers as such? It merely has to do with the relief of them if relief becomes inevitable?

Mr. KILGORE. That is correct. It deals with such situations only when there is involved a physical loss of property.

Mr. SHEPPARD. I thank the gentleman, and withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act entitled "An act to authorize relief of accountable officers of the Government, and for other purposes," approved August 1, 1947 (61 Stat. 720, 31 U. S. C. 82a-1), is hereby amended to read as follows:

"The General Accounting Office is authorized, after consideration of the pertinent findings and if in concurrence with the determinations and recommendations of the head of the department or independent establishment concerned, to relieve any disbursing or other accountable officer or agent or former disbursing or other accountable officer or agent of any such department or independent establishment of the Government charged with responsibility on account of physical loss or deficiency of Government funds, vouchers, records, checks, securities, or papers in his charge, or to authorize the reimbursement, from any appropriation or fund available for purposes of the activity in which the loss or deficiency occurred, of amounts paid subsequent to August 1, 1947, by or on behalf of the officer or agent in restitution of the loss or deficiency, if the head of the department or independent establishment determines (1) that such loss or deficiency occurred while such officer or agent was acting in the discharge of his official duties, or that such loss or deficiency occurred by reason of the act or omission of a subordinate of such officer or agent; and (2) that such loss or deficiency occurred without fault or negligence on the part of such officer or agent. This act shall be applicable only to the actual physical loss or deficiency of Government funds, vouchers, records, checks, securities, or papers, and shall not include deficiencies in the accounts of such officers or agents resulting from illegal or erroneous payments. Whenever it is necessary in the opinion of the Comptroller General to restore or otherwise adjust the account of any disbursing or accountable officer or agent or former disbursing or other accountable officer for relief heretofore or hereafter granted under this act, the amount of such relief shall, unless another appropriation is specifically provided therefor, be charged to the appropriation or fund available for the expense of the disbursing or other accountable function at the time the adjustment is effected."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISBURSING OFFICERS

The Clerk called the bill (H. R. 7034) to provide permanent authority for the relief of certain disbursing officers, and for other purposes.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the present consideration of the bill?

Mr. SHEPPARD. Mr. Speaker, reserving the right to object, I would like an explanation as to the proposal incorporated in this bill.

Mr. KILGORE. This, sir, is a similar type bill to the one just passed dealing, however, instead of with physical losses, with an improper distribution through an incorrect interpretation of the law, but in no manner relieving the disbursing officer from his responsibility but rather permitting his reimbursement where the Comptroller General finds his action has been without culpability. The bill also contains a section dealing with the Department of Defense.

Mr. SHEPPARD. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That (a) whenever (1) any deficiency exists or occurs in the official disbursing accounts of any disbursing officer or former disbursing officer of any department, agency, or independent establishment of the Government in consequence of the making of any illegal, improper, or incorrect payment, and (2) the Comptroller General or any officer of the General Accounting Office designated by the Comptroller General determines, upon his own motion or upon written findings and recommendations made by the head of the department, agency, or independent establishment concerned, or his designees for that purpose, that such payment was not the result of bad faith or lack of due care on the part of such disbursing officer, the Comptroller General or his designee is authorized in his discretion to relieve such disbursing officer of accountability and responsibility, and allow credit in his official disbursing accounts, for such deficiency. Such relief may be denied in any case in which the Comptroller General or his designee determines that the department, agency, or independent establishment concerned has not diligently pursued collection action in accordance with procedures prescribed by the Comptroller General.

(b) Nothing contained in this section shall (1) affect the liability, or authorize the relief, of any payee, beneficiary, or recipient of any illegal, improper, or incorrect payment, or (2) relieve any such disbursing officer, the head of any department, agency, or establishment, or the Comptroller General of responsibility to pursue collection action against any such payee, beneficiary, or recipient. This section shall not deprive any such disbursing officer of any right which he otherwise may have to obtain relief by any other means with respect to any illegal, improper, or incorrect payment.

(c) Whenever it is necessary in the opinion of the Comptroller General to restore or otherwise adjust in the account of any disbursing officer any amount as to which relief is granted under this section, such amount, unless another appropriation is specifically provided therefor, shall be charged to the appropriation or fund available for the expense of the disbursing function at the time the adjustment is effected.

SEC. 2. (a) The act entitled "An act to authorize relief of disbursing officers of the Army on account of loss or deficiency of Government funds, vouchers, records, or papers in their charge," approved December 13, 1944

(58 Stat. 800 as amended; 31 U. S. C. 95a), is amended to read as follows:

"That whenever (1) any disbursing officer of the Army, Navy, Air Force, or Marine Corps incurs or has incurred a physical loss or deficiency of any Government funds, vouchers, records, or papers in his charge and (2) the Secretary of the department concerned determines that such loss or deficiency occurred while the officer was in line of his duty and that such loss or deficiency occurred without fault or negligence on his part, the General Accounting Office shall relieve such officer of the liability for such loss or deficiency, or authorize the reimbursement, from any appropriation or fund made available for that purpose, of amounts paid by or on behalf of such officer in restitution of such loss or deficiency. Any determination made by the Secretary of the department concerned under this act shall be conclusive upon the General Accounting Office. No relief may be granted under this act with respect to any deficiency in the accounts of any disbursing officer which results from any illegal or erroneous payment. This act shall not deprive any disbursing officer of any right which he otherwise may have to obtain relief by any other means with respect to any loss or deficiency covered by this act."

(b) No reimbursement shall be made under the amendment made by subsection (a) for any loss or deficiency occurring before the date of enactment of this act.

SEC. 3. The second paragraph under the heading "Pay, miscellaneous," of the first section of the act of July 11, 1919 (41 Stat. 132, as amended; 31 U. S. C. 105), is hereby repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF LAND TO VILLAGE OF NECEDAH, WIS.

The Clerk called the bill (H. R. 2889) to provide for the conveyance of certain land in Necedah, Wis., to the village of Necedah.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of General Services is hereby authorized and directed to convey to the village of Necedah, Wis., all right, title, and interest of the United States to the land described in section 2 in consideration of \$1. The village of Necedah purchased such land and sold it to the United States in 1938 for \$1. Since that time, such land has been declared surplus to the needs of the Federal Government.

SEC. 2. The land referred to in the first section of this act is located in the village of Necedah, Juneau County, Wis., and is more particularly described as follows:

Commencing at a stake on the north line of the right-of-way of the Chicago & Northwestern Railway, formerly known as the Princeton & Western Railway; said stake to the land described in section 2 in consideration of \$1 bearing north thirty-three degrees east one hundred and sixty-one feet from the corner of block 1, original plat of Necedah, said corner of block being at the intersection of Main and First Streets (formerly known as Hilleboe's corner); thence north nine degrees and fifteen minutes east one hundred and fifty-five feet to a stake in the pond; thence north seventy-seven degrees thirty minutes west one hundred and twenty-two feet to a stake in the pond; thence south sixty-one degrees thirty minutes west two hundred and nine feet to a stake in the edge of the pond six feet north of dead birch tree; thence south eleven de-

grees forty-five minutes west fifty-two feet to a stake on the north side of the railway right-of-way; thence south eighty-four degrees east along the right-of-way two hundred and ninety-two feet to commencement point (magnetic variation for survey Zero) (November 24, 1898); reserving all water rights and right to overflow said land by backwater from dam in the village of Necedah 1898).

With the following committee amendments:

Page 1, line 6, after "\$1", strike the period and insert: "and upon such terms and conditions as may in the determination of the Administrator of General Services be necessary to safeguard the interests of the United States: *Provided, however,* That said property shall for a period of not less than 20 years be used for public purposes, and in the event of discontinuance of public use, shall, in its then existing condition, at the option of the United States as determined by the Secretary of Interior, revert to the United States."

Page 3, line 23, after "1898)", change the semicolon to a period. Strike the language beginning "reserving all water rights * * *" down through and including "Necedah." on line 23.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TEXAS HILL COUNTRY DEVELOPMENT FOUNDATION

The Clerk read the House joint resolution (H. J. Res. 276) to authorize the Texas Hill Country Development Foundation to convey certain land to Kerr County, Tex., and such county to convey a portion thereof to the State of Texas.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That, notwithstanding the second paragraph of the joint resolution entitled "Joint resolution to provide for the conveyance to the Texas Hill Country Development Foundation of certain surplus land situated in Kerr County, Tex.," approved June 28, 1954 (Private Law 480, 83d Cong.), or any term, reservation, restriction, or condition placed in the deed of conveyance (dated February 1, 1955) granted by the Administrator of General Services under authority of such joint resolution, the Texas Hill Country Development Foundation is hereby authorized to convey to Kerr County, Tex., all of the land described in such deed February 1, 1955.

SEC. 2. Kerr County, Tex., is authorized to convey to the State of Texas for military purposes not in excess of 10 acres of any land which may be conveyed to it under authority of the first section of this act.

SEC. 3. Any deed of conveyance granted under authority of this act shall be subject to the same terms and conditions, and the land conveyed thereby shall be used for the same purposes, as required by such joint resolution of June 28, 1954, and the deed granted under authority thereof, except that the land conveyed to the State of Texas shall be used for military purposes for a period of not less than 25 years unless reconveyed to Kerr County, Tex., for the purposes required by the said joint resolution of June 28, 1954.

With the following committee amendments:

Page 2, lines 5 through 8: Delete all of section 2.

Page 2, line 9, change "SEC. 3" to "SEC. 2."

Page 2, line 13, after "thereof", change the comma to a period.

Page 2, line 14: delete all the language beginning "except that the land * * *" and continuing through line 18.

The committee amendments were agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "To authorize the Texas Hill Country Development Foundation to convey certain land to Kerr County, Tex."

CONVEYANCE OF PORTION OF FORMER O'REILLY GENERAL HOSPITAL, SPRINGFIELD, MO.

The Clerk read the bill (H. R. 482) to provide for the conveyance of a portion of the former O'Reilly General Hospital, Springfield, Mo., to the State of Missouri, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the General Services Administrator is authorized and directed, upon certification to him by the Secretary of Defense and the Governor of Missouri that the property described in section 2 of this act is needed for the training or support of the National Guard of Missouri, to convey the property to the State of Missouri by quitclaim deed, without monetary consideration therefor, but subject to such reservations, restrictions, and other terms and conditions as the Administrator determines to be necessary to properly protect the interests of the United States.

SEC. 2. The real property to be conveyed to the State of Missouri is described as follows:

A parcel of land in the city of Springfield, Green County, Mo., being a portion of the former O'Reilly General Hospital, and beginning at a point 31 poles and 20 links south of the northwest corner of northeast quarter of section 18, township 29, range 21, for a point of true beginning; running thence south 661.3 feet to a woven wire fence; running thence east along said fence 66 poles and 18 links; running thence north 661.3 feet to a point 31 poles and 20 links south of the north line of the northeast quarter of section 18, township 29, range 21; running thence west 66 poles and 18 links to the point of true beginning, being 16.5 acres, more or less.

SEC. 3. The cost of any surveys necessary as an incident of the conveyance authorized herein shall be borne by the State of Missouri.

With the following committee amendments:

Page 1, line 3, change "General Services Administrator" to read "Administrator of General Services," thus conforming to the statutory title.

Page 1, line 9, strike the language beginning "but subject to * * *", and continuing through page 2, line 2. Substitute therefor the following: "upon such terms and conditions as the Administrator determines to be necessary to properly protect the interest of the United States: *Provided, however,* That such deed of conveyance by express terms shall—

"a. reserve to the United States all mineral rights including gas and oil,

"b. reserve to the United States right of exclusive use without charge therefor of such property together with any improvements thereon during any period of national emergency.

"c. specify that said property shall be used for the training of the National Guard or for other military purposes, and in the event of nonuse for such purpose within a reasonable time as determined by the Secretary of Defense or of discontinuance of use for such purpose, shall, in its then existing condition together with any improvements thereon, at the option of the United States as determined and exercised by the Secretary of Defense, revert to the United States."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PECWAN UNION SCHOOL DISTRICT

The Clerk called the bill (H. R. 727) to authorize the conveyance of certain land to the Pecwan Union School District for use as the site of a school.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in order to provide a site for a school, the Secretary of the Interior is authorized and directed to convey to the Pecwan Union School District of the State of California all of the right, title, and interest (other than mineral rights) of the United States and of the Hoopa Indian Tribe in and to that tract of land containing 15 acres and more particularly described as follows:

The southeast quarter northeast quarter southeast quarter southeast quarter and northeast quarter southeast quarter southeast quarter southeast quarter, section 7, containing five acres, and the south half northwest quarter southwest quarter southwest quarter and the north half southwest quarter southwest quarter southwest quarter, section 8, containing ten acres, township 11 north, range 3 east, Humboldt meridian, California.

With the following committee amendment:

Page 1, line 7, strike the words "Hoopa Indian Tribe," and insert in lieu thereof the words "Indians who have an interest therein."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PUBLIC RECREATION FACILITIES IN ALASKA

The Clerk called the bill (H. R. 4047) relating to the establishment of public recreation facilities in Alaska, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior, as an aid in the settlement and development of the Territory of Alaska, for a period of 5 years after the approval of this act, is authorized to construct campgrounds and parking areas, including necessary access roads thereto, and other public recreation-area facilities in Alaska and to maintain them pending their transfer to appropriate Territorial agencies and communities: *Provided*, That no lodges, hotels, or other structures providing overnight accommodations for the public shall be constructed pursuant to this act. Such public recreation facilities may be constructed upon lands under the

Secretary's administrative jurisdiction that are not needed for other public purposes. The Secretary is authorized to transfer, upon such terms and conditions as he may consider to be in the public interest, to appropriate Territorial agencies and communities for operation and maintenance such of the aforesaid public facilities and land relating thereto as he shall deem in the public interest.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALASKA PUBLIC LANDS

The Clerk called the bill (H. R. 4096) to provide for the disposal of public lands within highway, telephone, and pipeline withdrawals in Alaska, subject to appropriate easements, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That upon revocation of a withdrawal for highways, telephone lines, or pipelines, in Alaska, the lands involved shall be subject to disposal only under laws specified by the Secretary of the Interior, subject to easements as established by the Secretary. Notwithstanding any statutory limitation on the area which may be included in an unpatented claim or entry, the Secretary may permit the amendment of the land description of a claim or entry on adjoining lands to include the restored lands.

SEC. 2. The Secretary may sell such restored lands for not less than their appraised value, giving an appropriate preference right to the holders of adjoining claims or entries and to owners of adjoining private lands.

SEC. 3. Public lands in Alaska within an easement hereunder established by the Secretary of the Interior may not be utilized or occupied without the permission of the Secretary, or an officer or agency designated by him. If the lands crossed by an easement established under this act are under the jurisdiction of a Federal department or agency other than the Department of the Interior, or of a State, Territory, or other Government subdivision or agency, such permission may be granted only with the consent of such department, agency, or other governmental unit.

SEC. 4. Nothing in this act shall affect adversely any valid existing rights.

With the following committee amendment:

Page 2, line 6, after the period on line 6, insert a new sentence as follows: "If such lands are under the jurisdiction of a Federal department or agency other than the Department of the Interior, any sale thereof shall be made only with the consent of such department or agency."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ST. CROIX, V. I.

The Clerk called the bill (S. 2097) to authorize the transfer to the Department of Agriculture, for agricultural purposes, of certain real property in St. Croix, V. I.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Virgin Islands Corporation is authorized and directed to transfer and convey to the United States of America upon request of the Secretary of Agriculture, without cost, the real property comprising 60 acres more or less, together with the buildings and improvements thereon, occupied and in use by the Department of Agriculture, which property is adjacent to the southwest corner of the intersection of Centerline Road and Airport Road on the Island of St. Croix, Virgin Islands: *Provided*, Upon the transfer and conveyance of such property by the Virgin Islands Corporation to the United States, the interest-bearing investment of the United States in the Corporation shall be reduced by the net book value of such property.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FALL RIVER RESERVOIR, KANS.

The Clerk called the bill (H. R. 4729) to designate the lake created by the Fall River Reservoir, in the State of Kansas, as Lake Meyer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the lake created by the Fall River Dam, on the Fall River, a tributary of Verdigris River, near Fall River, Kans., shall be known and designated as Lake Meyer. Any law, regulation, document, or record of the United States in which such lake is referred to under any other name or designation shall be held to refer to such lake as Lake Meyer.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEMOPOLIS LOCK AND DAM, ALABAMA

The Clerk called the bill (H. R. 3235) to provide for adjustments in the lands or interests therein acquired for the Demopolis lock and dam, Alabama, by the reconveyance of certain lands or interests therein to the former owners thereof.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) in order to provide for adjustments in the lands or interests in land heretofore acquired for the Demopolis lock and dam project to conform such acquisition to a lesser estate in lands now being acquired to complete the real-estate requirement of the project, the Secretary of the Army is authorized to reconvey any such land or interests in land heretofore acquired to the former owners of such land whenever (1) he shall determine that such land or interest is not required for public purposes, and (2) he shall have received an application for reconveyance as hereinafter provided.

(b) The Secretary shall give notice, in such manner (including publication) as he shall by regulation prescribe, to the former owner of such land or interest, and any such sale of any such land or interest shall be made only after the Secretary has received an application for the reconveyance of such land or interest from such former owner, in such form as he shall by regulation prescribe. Such application shall be made within a period of 90 days following the date of issuance of such notice, but on good cause the Secretary may waive this requirement.

84TH CONGRESS
1ST SESSION

H. R. 7034

IN THE SENATE OF THE UNITED STATES

JULY 19, 1955

Read twice and referred to the Committee on Government Operations

AN ACT

To provide permanent authority for the relief of certain disbursing officers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) whenever (1) any deficiency exists or occurs in
4 the official disbursing accounts of any disbursing officer or
5 former disbursing officer of any department, agency, or in-
6 dependent establishment of the Government in consequence
7 of the making of any illegal, improper, or incorrect pay-
8 ment, and (2) the Comptroller General or any officer of
9 the General Accounting Office designated by the Comp-

1 troller General determines, upon his own motion or upon
2 written findings and recommendations made by the head of
3 the department, agency, or independent establishment con-
4 cerned, or his designees for that purpose, that such payment
5 was not the result of bad faith or lack of due care on the part
6 of such disbursing officer, the Comptroller General or his
7 designee is authorized in his discretion to relieve such dis-
8 bursing officer of accountability and responsibility, and allow
9 credit in his official disbursing accounts, for such deficiency.
10 Such relief may be denied in any case in which the Comp-
11 troller General or his designee determines that the depart-
12 ment, agency, or independent establishment concerned has
13 not diligently pursued collection action in accordance with
14 procedures prescribed by the Comptroller General.

15 (b) Nothing contained in this section shall (1) affect
16 the liability, or authorize the relief, of any payee, beneficiary,
17 or recipient of any illegal, improper, or incorrect payment,
18 or (2) relieve any such disbursing officer, the head of any
19 department, agency, or establishment, or the Comptroller
20 General of responsibility to pursue collection action against
21 any such payee, beneficiary, or recipient. This section shall
22 not deprive any such disbursing officer of any right which he
23 otherwise may have to obtain relief by any other means
24 with respect to any illegal, improper, or incorrect payment.

25 (c) Whenever it is necessary in the opinion of the

1 Comptroller General to restore or otherwise adjust in the
2 account of any disbursing officer any amount as to which
3 relief is granted under this section, such amount, unless
4 another appropriation is specifically provided therefor, shall
5 be charged to the appropriation or fund available for the
6 expense of the disbursing function at the time the adjustment
7 is effected.

8 SEC. 2. (a) The Act entitled "An Act to authorize relief
9 of disbursing officers of the Army on account of loss or
10 deficiency of Government funds, vouchers, records, or papers
11 in their charge", approved December 13, 1944 (58 Stat.
12 800 as amended; 31 U. S. C. 95a), is amended to read as
13 follows:

14 "That whenever (1) any disbursing officer of the
15 Army, Navy, Air Force, or Marine Corps incurs or has
16 incurred a physical loss or deficiency of any Government
17 funds, vouchers, records, or papers in his charge and (2) the
18 Secretary of the department concerned determines that such
19 loss or deficiency occurred while the officer was in line of his
20 duty and that such loss or deficiency occurred without fault
21 or negligence on his part, the General Accounting Office
22 shall relieve such officer of the liability for such loss or de-
23 ficiency, or authorize the reimbursement, from any appro-
24 priation or fund made available for that purpose, of amounts
25 paid by or on behalf of such officer in restitution of such loss

1 or deficiency. Any determination made by the Secretary
2 of the department concerned under this Act shall be con-
3 clusive upon the General Accounting Office. No relief may
4 be granted under this Act with respect to any deficiency in
5 the accounts of any disbursing officer which results from any
6 illegal or erroneous payment. This Act shall not deprive
7 any disbursing officer of any right which he otherwise may
8 have to obtain relief by any other means with respect to
9 any loss or deficiency covered by this Act.”

10 (b) No reimbursement shall be made under the amend-
11 ment made by subsection (a) for any loss or deficiency
12 occurring before the date of enactment of this Act.

13 SEC. 3. The second paragraph under the heading “Pay,
14 miscellaneous”, of the first section of the Act of July 11,
15 1919 (41 Stat. 132, as amended; 31 U. S. C. 105) is here-
16 by repealed.

Passed the House of Representatives July 18, 1955.

Attest:

RALPH R. ROBERTS,

Clerk,

AN ACT

To provide permanent authority for the relief of certain disbursing officers, and for other purposes.

JULY 19, 1955

Read twice and referred to the Committee on
Government Operations

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued July 29, 1955
For actions of July 28, 1955
84th-1st, No. 128

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HIGHLIGHTS: Senate passed bill for loans to small reclamation projects. House and Senate committees reported bills to increase CCC borrowing authority by \$2 billion. Senate committee voted to report executive pay bill. Senate committee reported bill to permit sale of CCC cotton at market prices and farm credit bill. Both Houses agreed to conference report on mutual security appropriation bill. House Rules Committee cleared sugar and housing bills. House committee reported National Farm-City Week measure. Sen. Flanders recommended donation of wheat to China. Sen. Anderson inserted Asst. Secretary Butz' recent Miss. speech.

SENATE

1. CCC BORROWING POWER. The Agriculture and Forestry Committee reported without amendment S. 2604, to increase the CCC borrowing power from \$10 billion to \$12 billion (S. Rept. 1200)(p. 10138).
2. CCC COTTON. The Agriculture and Forestry Committee reported with amendment S. 2446, to permit sale of CCC stocks of cotton that are in excess supply for unrestricted use at current market prices (S. Rept. 1199)(p. 10138).
3. FARM CREDIT. The Agriculture and Forestry Committee reported with amendment H. R. 5168, to provide for retirement of the Government capital in certain institutions operating under supervision of FCA, and to increase borrower participation in the management and control of the Federal Farm Credit System (S. Rept. 1201)(p. 10138).

4. PERSONNEL. The Post Office and Civil Service Committee reported with amendment S. 2402, to increase annuities for retired employees (S. Rept. 1176)(p. 10137). During calendar call, the bill was passed over at the request of several Senators (p. 10198).
The Post Office and Civil Service Committee ordered reported (amended) S. 2628, to increase the pay of department heads and other major Federal officials (p. D804).
5. LEGISLATIVE APPROPRIATION BILL, 1956. The Appropriations Committee reported with amendments this bill, H. R. 7117, which includes items for GPO and the Library of Congress (S. Rept. 1181)(p. 10158).
6. ACCOUNTING. The Government Operations Committee reported without amendment H. R. 7034, which authorizes the Comptroller General to relieve a disbursing officer of accountability under certain circumstances (S. Rept. 1185), and H. R. 7035, to authorize the Comptroller General to reimburse funds to disbursing officers under certain conditions (S. Rept. 1186)(p. 10138). See Digest 115 for provisions of these bills.
7. EXTENSION WORK. The Government Operations Committee reported without amendment H. J. Res. 276, to authorize the Texas Hill Country Development Foundation to convey certain land to Kerr County, Tex. (S. Rept. 1187)(p. 10138).
8. FEES AND CHARGES. The Government Operations Committee reported with amendment S. Res. 140, relative to the establishment of uniform fees and charges by Government agencies for work or other things of value performed by them (S. Rept. 1184)(p. 10138).
9. TEXTILES. The Interstate and Foreign Commerce Committee reported without amendment S. 1455, to amend the Flammable Fabrics Act to exempt scarves which do not represent an unusual hazard (S. Rept. 1204)(p. 10138).
10. RICE ALLOTMENTS. The Agriculture and Forestry Committee reported with amendments S. 2511, to provide that no rice national acreage allotment shall be established which is less than 75% of the final allotment established for the immediately preceding year (S. Rept. 1218)(p. 10138).
11. PROPERTY. The Government Operations Committee reported with amendments S. 2591, to amend Sec. 602 of the Federal Property and Administrative Services Act with respect to utilization and disposal of excess and surplus property under the control of the executive agencies (S. Rept. 1183)(p. 10138).
12. RECORDS MANAGEMENT. The Government Operations Committee reported without amendment S. 2364, to amend the Federal Property and Administrative Services Act so as to give GSA additional control over records-management work of the executive departments and agencies (S. Rept. 1182)(p. 10138).
13. MINIMUM WAGE. Sen. Goldwater suggested that State enactment of minimum wage regulations would avoid the imposition of Federal control in this matter (pp. 10205-6).

PROVIDING PERMANENT AUTHORITY FOR THE RELIEF
OF CERTAIN DISBURSING OFFICERS

JULY 28, 1955.—Ordered to be printed

Mr. McCLELLAN, from the Committee on Government Operations,
submitted the following

R E P O R T

[To accompany H. R. 7034]

The Committee on Government Operations, to whom was referred the bill (H. R. 7034) to provide permanent authority for the relief of certain disbursing officers and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

This bill would (1) permit the Comptroller General to relieve disbursing officers of the United States whose accounts reflect losses or deficiencies resulting from illegal, improper, or incorrect payments, not due to fault or negligence on their part; (2) vest authority in the Comptroller General to adjust and clear the accounts of disbursing officers to whom such relief has been granted; (3) provide a permanent and uniform method for the relief of disbursing officers of the military departments whose accounts reflect physical losses or deficiencies not due to fault or negligence on their part; and (4) provide authority for the reimbursement of amounts paid by or on behalf of military department disbursing officers in restitution of physical losses or deficiencies in their accounts, not due to fault or negligence on their part.

BACKGROUND

The act of August 1, 1947 (61 Stat. 720, 31 U. S. C. 82a-1) authorizes the General Accounting Office to relieve a disbursing officer, in a proper case, only for a physical loss or deficiency in his accounts, if such loss or deficiency occurred while the officer was acting in the discharge of his official duties, or by reason of an act or omission of a subordinate, and without fault or negligence on his part. The General Accounting Office is provided with similar authority with respect

to Army disbursing officers by the act of December 13, 1941 (31 U. S. C. 95a) and with respect to Navy disbursing officers by the act of July 11, 1919 (31 U. S. C. 105). Each of these latter statutes, however, vests in the respective service secretary authority to determine whether such loss occurred in the line of duty and without fault or negligence on the part of such officer, and makes such determination conclusive upon the General Accounting Office.

However, existing law provides no authority for the relief of a disbursing officer who has losses or deficiencies in his accounts as a result of illegal, improper or incorrect payments, incurred in the line of duty and without fault, or negligence on his part. Thus, at the present time, the only method of obtaining relief for such disbursing officers is through the enactment by the Congress of private relief legislation. The processing of such private relief legislation is burdensome to both the executive and legislative branches of the Government. Furthermore, the Treasury Department advises that suits are sometimes instituted against disbursing officers under their bonds, in which event they must take steps to defend themselves even though they acted in good faith. Eventually, relief is usually granted by the Congress, but it is a long, drawn-out process. Finally, the Department of Defense advised that each year large numbers of private bills must be submitted to the Congress which require a complete description of the overpayment, including detailed accounting references, a statement of the circumstances under which each overpayment occurred, as well as a discussion of the circumstances preventing collection from the respective payees. One recent relief measure involved overpayments in the accounts of 189 disbursing officers in the military departments, representing approximately 1,367 items of overpayments, totaling \$122,089.68. Of these items, 487 represented overpayments in amounts of less than \$25.

It should be noted that the terms "illegal" and "improper" as here used do not imply fraudulent or wrongful conduct, but refer to a payment which the Comptroller General finds is not in strict technical conformity with the law.

Other agencies and departments of the Government which have disbursing officers, such as the Post Office Department, the Housing and Home Finance Agency, and the Treasury Department must also submit large numbers of private bills to the Congress in order to obtain relief for their disbursing officers.

A second problem here involved relates to the need for permanent authority to clear the accounts of disbursing officers to whom relief has been granted. Should the subject bill become law, the Comptroller General would have authority to relieve disbursing officers for illegal, improper, or incorrect payments, in a proper case. However, the amounts of money in question would continue to be reflected as deficiencies in the account of such officers even though they would be relieved of responsibility. In the absence of permanent specific authority it will be necessary for the Congress, from time to time, to appropriate funds to enable the clearance of such accounts. Accordingly, the Comptroller General and the Treasury Department have requested that permanent authority be vested in the Comptroller General to clear such accounts under the circumstances stated.

A third problem here involved relates to the need for a permanent and uniform method for relieving disbursing officers of the Department

of Defense of liability arising out of physical losses and deficiencies, incurred in the line of duty and not the result of bad faith or lack of due care on the part of such officers. As shown previously, under existing law, authority for such relief is contained in two separate statutes: the act of December 13, 1941 (31 U. S. C. 95a) which authorizes the Comptroller General to relieve Army disbursing officers; and the act of July 11, 1919 (31 U. S. C. 105) which authorizes the Comptroller General to relieve Navy disbursing officers. Approval of the subject bill would provide permanent uniform authority for the relief of all military department disbursing officers, in the event of physical losses and deficiencies, in one provision of law, and the act of July 11, 1919, referring to the Navy, would be repealed.

COMMITTEE ACTION

1. Action on original Senate bill

The committee originally had before it a Senate bill, S. 1927, introduced at the request of the Department of the Army, on behalf of the Department of Defense. As originally introduced, it was the purpose of S. 1927 to (1) provide a permanent and uniform method for relieving disbursing officers of the Army, Navy, Air Force, and Marines for illegal, improper, or incorrect payments made without fault or negligence on their part; and (2) to amend existing law relative to the relief of Army and Navy disbursing officers for physical losses and deficiencies in their accounts, without fault or negligence on their part, so as to include in one provision of law all disbursing officers of the military departments. The separate provision of law covering only disbursing officers of the Department of the Navy would have been repealed.

Subsequently, the Department of Defense proposed an amendment which would have authorized the reimbursement of amounts paid in restitution of physical losses by or on behalf of military department disbursing officers for losses which occurred after the effective date of the amendment. The Comptroller General and the Treasury Department proposed additional amendments under which the authority of the Comptroller General to relieve for losses and deficiencies in accounts of disbursing officers for illegal, incorrect, or improper payments would be extended to all disbursing officers of the United States; and the Comptroller General would be further authorized to adjust and clear the accounts of disbursing officers to whom such relief was granted.

Following receipt of the various proposed amendments, the committee staff, together with representatives of the Legislative Counsel of the Senate, the Comptroller General, the Treasury Department, the Bureau of the Budget, and the Departments of Defense, Army, Navy, and Air Force, conferred at length concerning the redrafting of the subject bill in such a manner as to cover all of the requirements.

Because these proposed amendments entailed considerable revision, it was the judgment of the committee that the best practice would be to prepare a clean bill.

Section 1 (a) would vest in the Comptroller General, upon his own motion or upon the written findings and recommendations of department or agency heads, the authority to relieve any disbursing officer or former disbursing officer of the United States of accounta-

bility and responsibility for any deficiency in his official disbursing account in consequence of the making of any illegal, improper, or incorrect payment. It further authorizes the Comptroller General to deny such relief in any case in which he determines that the department or agency concerned has not diligently pursued collection action in accordance with procedures prescribed by the Comptroller General.

Section 1 (b) provides that nothing contained therein shall affect the liability or authorize the relief of any payee, beneficiary, or recipient of any illegal or improper payment, or relieve any such disbursing officer, department or agency head or the Comptroller General of responsibility to pursue collection action against such payee, beneficiary, or recipient. It provides further that this section shall not deprive any such disbursing officer of any right which he otherwise might have to obtain relief with respect to such payments by any other means (private bill).

Section 1 (c) provides the necessary continuing specific legislative authority in the Comptroller General to clear the accounts of disbursing officers who have been relieved of responsibility. Although under section 1 (a), the Comptroller General would be authorized to relieve a disbursing officer of responsibility for illegal, improper, or incorrect payments, in a proper case, unless specific legislative authority is provided, the deficiency would remain a charge on the account of such officer, and special appropriations would be necessary to enable the account to be cleared. This subsection, requested by the Treasury Department and the Comptroller General, would provide the necessary authority by permitting the Comptroller General, in a proper case, to restore or otherwise adjust the account of any disbursing officer to the extent of the amount of relief granted under this section and would authorize the amount to be charged to the appropriation or fund available for the disbursing function at the time the adjustment is effected, unless another appropriation is specifically provided therefor. This would conform to the authority which would be vested in the Comptroller General by H. R. 7035, with respect to the adjustment and clearance of accounts of accountable officers in the event of relief for physical losses and deficiencies.

Section 2 (a) would amend the act of December 13, 1944 (31 U. S. C. 95a) which authorizes relief, in a proper case, of Army disbursing officers for physical losses and deficiencies in their accounts, by including disbursing officers of the Air Force, Navy, and Marine Corps. This would provide for relief of all disbursing officers of the military departments in a uniform fashion and in a single provision of law, rather than in separate provisions as under existing law.

Section 2 (b) would empower the Comptroller General to authorize the reimbursement of amounts paid in restitution of physical losses and deficiencies in the accounts of disbursing officers of the military departments, by or on behalf of such officers, but limits such reimbursement to losses or deficiencies occurring subsequent to the effective date of the act.

It should be noted that the effect of this latter amendment would be to afford to disbursing officers of the military departments who have made personal restitution to their accounts for physical losses or deficiencies two separate statutes under which to claim reimbursement, in the event that the pending bill, and a related measure, H. R. 7035, are enacted into law. For losses or deficiencies which

occurred prior to the effective date of this act, they could claim reimbursement under the act of August 1, 1947, as amended, which authorizes reimbursement for losses occurring subsequent to August 1, 1947. For losses occurring subsequent to the effective date of the enactment of the subject bill, they can claim under its provisions.

Section 3 would repeal the act of July 11, 1919, authorizing relief of Navy disbursing officers for physical losses, since the enactment of the pending bill would include all agencies within the Department of Defense.

2. Action on the House bill, H. R. 7034

Following completion of the redraft of S. 1927, as indicated above, a copy of the revised bill, containing the proposed amendments, was made available to the House Committee on Government Operations which proceeded to report favorably a clean bill, H. R. 7034, on June 29, 1955 (H. Rept. 996). This bill, which embodies all of the proposed amendments agreed to by this committee and is identical in every respect to the redraft of S. 1927, passed the House of Representatives on July 18, 1955.

In view of the fact that the House of Representatives has already taken final action on H. R. 7034, the committee substituted that bill for S. 1927, as redrafted, with a view to expediting action thereon.

CONCLUSIONS

The enactment of this bill, as amended, would provide an administrative method of relieving all disbursing officers of the United States whose accounts reflect deficiencies resulting from illegal, improper, or incorrect payments made without fault or negligence on their part. This, in turn, would relieve the various departments and agencies concerned, as well as the Congress, of the substantial burden entailed in the preparation, handling, submission, and consideration of large numbers of private relief bills. Although some private relief bills may still be necessary to reimburse disbursing officers who restored losses to their accounts prior to 1947, their number is expected to be negligible. It would also serve to improve Government accounting practices by providing the necessary permanent authority in the Comptroller General to adjust and clear accounts which must now be cleared by specific statutes. Finally, it will provide a uniform method and procedure for the relief of military department disbursing officers by centralizing in one statutory provision the necessary authority which is now derived from two separate statutes.

The subject bill, as amended, has the approval of the Comptroller General, the Bureau of the Budget, the Treasury Department, and the Departments of Defense, Army, Navy, and Air Force. Its favorable consideration is strongly urged. It is largely technical in nature and is not expected to entail any additional cost to the Government. Furthermore, it may result in some economy by eliminating the costly agency staff work required in connection with the submission of private relief bills.

CHANGES IN EXISTING LAW

In compliance with subsection 4 of rule XXIX of the Standing Rules of the Senate, changes in existing law made by this bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

ACT OF DECEMBER 13, 1944

(58 Stat. 800 as amended; 31 U. S. C. 95a)

【The General Accounting Office shall relieve any disbursing officer of the Army charged with responsibility on account of loss or deficiency while in the line of duty, of Government funds, vouchers, records, or papers in his charge, where such loss or deficiency occurred without fault or negligence on the part of said officer: *Provided*, That the Secretary of the Army shall have determined that the officer was in the line of his duty, and the loss or deficiency occurred without fault or negligence on his part: *Provided further*, That the determination by the Secretary of the Army of the aforesaid questions shall be conclusive upon the General Accounting Office: *And provided further*, That this section shall be applicable only to the actual physical loss of Government funds, vouchers, records, or papers, and shall not include deficiencies in the accounts of disbursing officers of the Army resulting from illegal or erroneous payments.】

(a) *That whenever (1) any disbursing officer of the Army, Navy, Air Force, or Marine Corps incurs or has incurred a physical loss or deficiency of any Government funds, vouchers, records, or papers in his charge and (2) the Secretary of the department concerned determines that such loss or deficiency occurred while the officer was in line of his duty and that such loss or deficiency occurred without fault or negligence on his part, the General Accounting Office shall relieve such officer of the liability for such loss or deficiency, or authorize the reimbursement, from any appropriation or fund made available for that purpose, of amounts paid by or on behalf of such officer in restitution of such loss or deficiency. Any determination made by the Secretary of the department concerned under this Act shall be conclusive upon the General Accounting Office. No relief may be granted under this Act with respect to any deficiency in the accounts of any disbursing officer which results from any illegal or erroneous payment. This Act shall not deprive any disbursing officer of any right which he otherwise may have to obtain relief by any other means with respect to any loss or deficiency covered by this Act.*

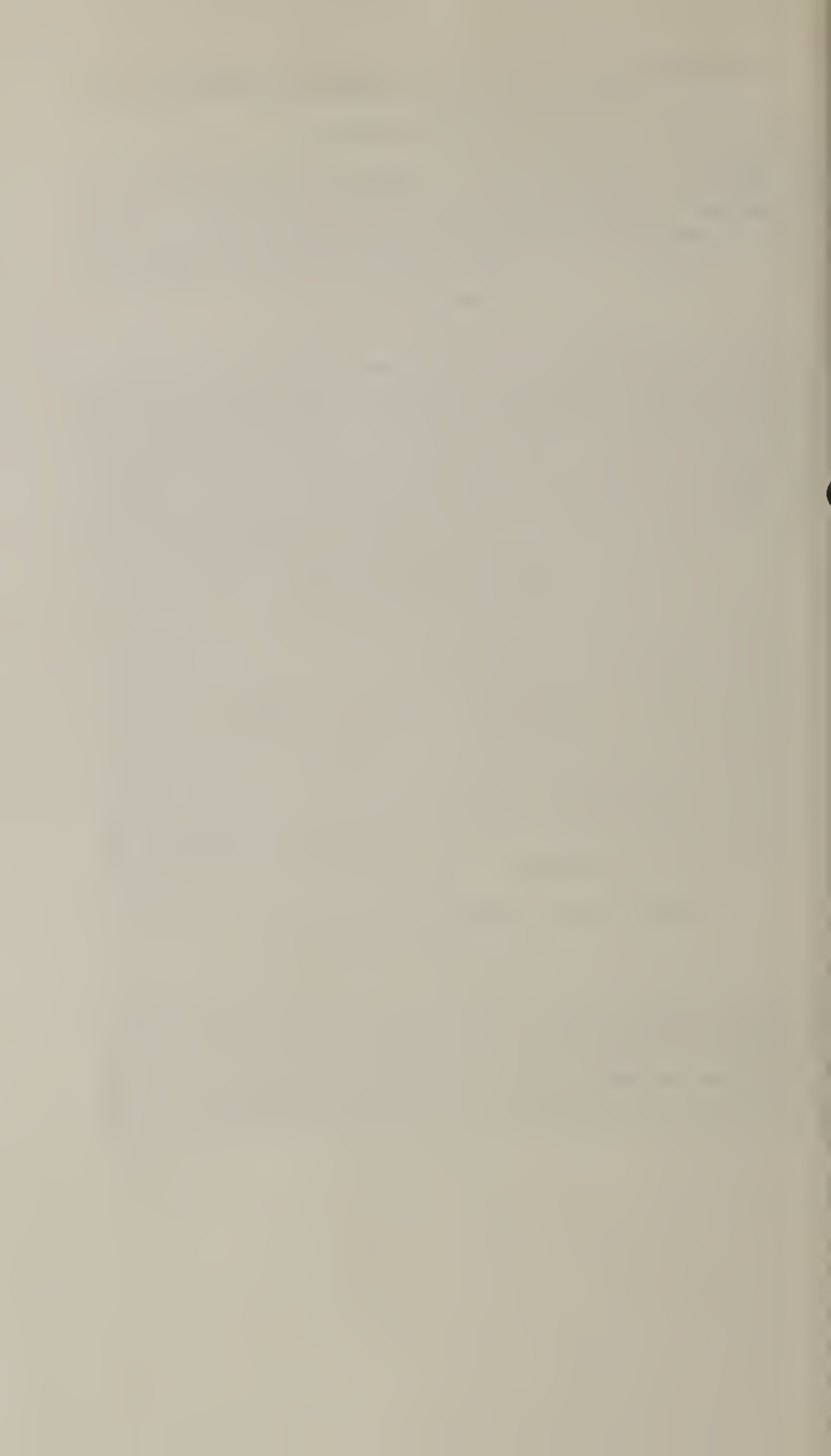
(b) *No reimbursement shall be made under the amendment made by subsection (a) for any loss or deficiency occurring before the date of enactment of this Act.*

THE SECOND PARAGRAPH UNDER THE HEADING "PAY, MISCELLANEOUS," OF THE FIRST SECTION OF THE ACT OF JULY 11, 1919

(41 Stat. 132 as amended; 31 U. S. C. 105)

【The General Accounting Office shall relieve any disbursing officer of the Navy charged with responsibility on account of loss or deficiency while in the line of his duty, of Government funds, vouchers, records, or papers, in his charge, where such loss or deficiency occurred without fault or negligence on the part of said officer: *Provided*, That the Secretary of the Navy shall have determined that the officer was in line of his duty, and the loss or deficiency occurred without fault or negligence on his part. The determination by the Secretary of the Navy of the aforesaid questions shall be conclusive upon the General Accounting Office.】





Calendar No. 1201

84TH CONGRESS
1ST SESSION

H. R. 7034

[Report No. 1185]

IN THE SENATE OF THE UNITED STATES

JULY 19, 1955

Read twice and referred to the Committee on Government Operations

JULY 28, 1955

Reported by Mr. McCLELLAN, without amendment

AN ACT

To provide permanent authority for the relief of certain disbursing officers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) whenever (1) any deficiency exists or occurs in
4 the official disbursing accounts of any disbursing officer or
5 former disbursing officer of any department, agency, or in-
6 dependent establishment of the Government in consequence
7 of the making of any illegal, improper, or incorrect pay-
8 ment, and (2) the Comptroller General or any officer of
9 the General Accounting Office designated by the Com-
10 troller General determines, upon his own motion or upon
11 written findings and recommendations made by the head of

1 the department, agency, or independent establishment con-
2 cerned, or his designees for that purpose, that such payment
3 was not the result of bad faith or lack of due care on the part
4 of such disbursing officer, the Comptroller General or his
5 designee is authorized in his discretion to relieve such dis-
6 bursing officer of accountability and responsibility, and allow
7 credit in his official disbursing accounts, for such deficiency.
8 Such relief may be denied in any case in which the Comp-
9 troller General or his designee determines that the depart-
10 ment, agency, or independent establishment concerned has
11 not diligently pursued collection action in accordance with
12 procedures prescribed by the Comptroller General.

13 (b) Nothing contained in this section shall (1) affect
14 the liability, or authorize the relief, of any payee, beneficiary,
15 or recipient of any illegal, improper, or incorrect payment,
16 or (2) relieve any such disbursing officer, the head of any
17 department, agency, or establishment, or the Comptroller
18 General of responsibility to pursue collection action against
19 any such payee, beneficiary, or recipient. This section shall
20 not deprive any such disbursing officer of any right which he
21 otherwise may have to obtain relief by any other means
22 with respect to any illegal, improper, or incorrect payment.

23 (c) Whenever it is necessary in the opinion of the
24 Comptroller General to restore or otherwise adjust in the
25 account of any disbursing officer any amount as to which

1 relief is granted under this section, such amount, unless
2 another appropriation is specifically provided therefor, shall
3 be charged to the appropriation or fund available for the
4 expense of the disbursing function at the time the adjustment
5 is effected.

6 SEC. 2. (a) The Act entitled “An Act to authorize relief
7 of disbursing officers of the Army on account of loss or
8 deficiency of Government funds, vouchers, records, or papers
9 in their charge”, approved December 13, 1944 (58 Stat.
10 800 as amended; 31 U. S. C. 95a), is amended to read as
11 follows:

12 “That whenever (1) any disbursing officer of the
13 Army, Navy, Air Force, or Marine Corps incurs or has
14 incurred a physical loss or deficiency of any Government
15 funds, vouchers, records, or papers in his charge and (2) the
16 Secretary of the department concerned determines that such
17 loss or deficiency occurred while the officer was in line of his
18 duty and that such loss or deficiency occurred without fault
19 or negligence on his part, the General Accounting Office
20 shall relieve such officer of the liability for such loss or de-
21 ficiency, or authorize the reimbursement, from any appro-
22 priation or fund made available for that purpose, of amounts
23 paid by or on behalf of such officer in restitution of such loss
24 or deficiency. Any determination made by the Secretary
25 of the department concerned under this Act shall be con-

1 clusive upon the General Accounting Office. No relief may
2 be granted under this Act with respect to any deficiency in
3 the accounts of any disbursing officer which results from any
4 illegal or erroneous payment. This Act shall not deprive
5 any disbursing officer of any right which he otherwise may
6 have to obtain relief by any other means with respect to
7 any loss or deficiency covered by this Act.”

8 (b) No reimbursement shall be made under the amend-
9 ment made by subsection (a) for any loss or deficiency
10 occurring before the date of enactment of this Act.

11 SEC. 3. The second paragraph under the heading “Pay,
12 miscellaneous”, of the first section of the Act of July 11,
13 1919 (41 Stat. 132, as amended; 31 U. S. C. 105) is here-
14 by repealed.

Passed the House of Representatives July 18, 1955.

Attest:

RALPH R. ROBERTS,

Clerk.

AN ACT

To provide permanent authority for the relief of certain disbursing officers, and for other purposes.

JULY 19, 1955

Read twice and referred to the Committee on Government Operations

JULY 28, 1955

Reported without amendment

S. 1894, International Finance Corp.; S. 890, water pollution; and possibly S. 2237, flammable fabrics. He said there would not be another call of the Consent Calendar. The Speaker said no bill will be considered Mon. which has not been passed by the Senate, and Rep. Martin agreed with this position. (pp. 10671-2.)

SENATE - July 30

78. ACCOUNTING. Passed without amendment H. R. 7034, which authorizes the Comptroller General to relieve accountable officers of accountability under certain circumstances, and H. R. 7035, which authorizes the Comptroller General to reimburse disbursing officers under certain conditions (pp. 10713-4). These bills will now be sent to the President. For provisions of bills, see Digest 115.
79. EXTENSION WORK. Passed without amendment H. J. Res. 276, to authorize the Texas Hill Country Development Foundation to convey certain land to Kerr County, Tex. (p. 10714). This measure will now be sent to the President.
80. FLOOD CONTROL. Passed without amendment H. R. 6066, authorizing modification of the project for flood protection on the San Joaquin River and tributaries, Calif. (p. 10714). This bill will now be sent to the President.
81. PROPERTY; TAXATION. Passed with amendment H. R. 6182, to amend the Federal Property and Administrative Services Act so as to make temporary provision for payments in lieu of taxes with respect to certain real property transferred by RFC to other Government departments (pp. 10780-1).
Passed as reported S. 2591, to amend the Federal Property and Administrative Services Act so as to provide that GSA shall exercise the authority vested in it with respect to the utilization and disposal of all excess and surplus property, real and personal, which is under the control of any executive agency, without regard to any other law, except that this provision shall not apply to any executive agency in connection with disposal of property under its control when such disposal is made as specifically authorized by law in a particular manner, to a particular class of persons, or for particular program purposes (such as CCC operations) (p. 10713).
82. RECORDS MANAGEMENT. Passed as reported S. 2364, to amend the Federal Property and Administrative Services Act so as to give GSA additional authority over records-management work of the executive departments and agencies (p. 10713).
83. PERSONNEL. Passed without amendment H. R. 6590, to prohibit employment by the Government of persons who are disloyal or who participate in or assert the right to strike against the Government (p. 10782). This bill will now be sent to the President.
At the request of Sen. Bible, passed over S. 2628, the executive pay bill (p. 10782).
84. FLAMMABLE FABRICS. Passed without amendment S. 1455, to amend the Flammable Fabrics Act so as to exempt scarves which do not present an unusual hazard (p. 10788).
85. RICE. Passed as reported S. 2511 (see item 62 above) (p. 10717).
86. FEES AND CHARGES. S. Res. 140, relating to establishment of uniform fees and charges by Government agencies, was referred to the Rules and Administration Committee (p. 10713).

87. FARM CREDIT. Passed as reported H. R. 5168, to provide for retirement of Government capital in certain institutions operated under supervision of FCA, and to increase borrower participation in the management and control of the Federal Farm Credit System (pp. 10722-32). Rejected, 9 to 80, a Williams amendment regarding application of assets on liquidation or dissolution of banks for cooperatives (pp. 10728-32).
88. WATER COMPACT. Concurred in the House amendments to S. 2260, consenting to a compact among Ark., La., Okla., and Tex. for an apportionment of the waters of the Red River and its tributaries (p. 10735). This bill will now be sent to the President.
89. MINING; PUBLIC LANDS. Passed with amendment H. R. 6994, to provide for entry and location, on discovery of a valuable source material, upon public lands classified as or known to be valuable for coal, etc. (pp. 10782-4).
90. FOOD AND AGRICULTURE ORGANIZATION. Began debate on S. J. Res. 97, to increase the limitation on the U. S. contribution to FAO from \$2 million to \$3 million annually (pp. 10792-6). Pending is an Ellender amendment to limit U. S. increases to the average percentage by which contributions of other countries are increased.
91. RECLAMATION. Passed without amendment H. R. 4663, to authorize the Trinity River division, Central Valley project, Calif. (pp. 10796-802). This bill will now be sent to the President.
Sen. Watkins inserted his statement and various exhibits favoring the proposed upper Colo. River project (pp. 10699-705).
92. HOUSING. Received a report by the Banking and Currency Committee on its study of Federal housing programs (S. Rept. 1281) (p. 10680).
93. ADJOURNED until Mon., Aug. 1 (p. 10809).

ITEM IN APPENDIX - July 30

94. ROADS. Extension of remarks of Rep. Mack, Wash., favoring the President's road program (p. A5642).

BILLS INTRODUCED - July 30

95. WHEAT TARIFF. H. R. 7750, by Rep. Bentley, to amend the Tariff Act to apply the same duty to wheat unfit for human consumption as applies to all other wheat; to Ways and Means Committee (p. 10677).
96. PERSONNEL. H. R. 7760, by Rep. Gubser, to provide for rates of pay for Federal personnel in appropriate relationship to local prevailing rates; to Post Office and Civil Service Committee (p. 10677).
97. FOOD ADDITIVES. H. R. 7764, by Rep. O'Hara, Minn., to prohibit new food additives which have not been adequately pretested to establish their safe use; to Interstate and Foreign Commerce Committee (p. 10677).
98. SOIL CONSERVATION. H. R. 7769, by Del. Farrington, to extend the Watershed and Flood Prevention Act to Alaska, Hawaii, and Puerto Rico; to Agriculture Committee (p. 10677).
99. COTTON. S. 2702, by Sen. Thurmond (for himself and 60 others), to encourage the

REQUIREMENT THAT CONFERENCE REPORTS BE ACCOMPANIED BY STATEMENTS — RESOLUTION PASSED OVER

The concurrent resolution (S. Con. Res. 36) requiring conference reports to be accompanied by statements signed by a majority of the managers of each House, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

Mr. ERVIN. Mr. President, I ask that the concurrent resolution go over, on the ground that it is not properly calendar business.

Mr. KNOWLAND. I wonder whether the Senator will withhold his objection.

Mr. ERVIN. I do.

Mr. KNOWLAND. An identical resolution was passed by the Senate on two occasions. It had been submitted jointly by the minority leader and by the former chairman of the Committee on Rules and Administration, the Senator from Arizona [Mr. HAYDEN]. It had bipartisan sponsorship. All the concurrent resolution seeks to do is to provide that Senate conferees shall be permitted to submit statements setting forth their views on conference reports. At the present time only the managers on the part of the House do so. As a result of that practice we have encountered some difficulties in the past. We feel that the Senate conferees should have an opportunity to submit their views on conference reports. So far as I know, the resolution was reported without opposition by the Committee on Rules and Administration. It was sponsored by both the majority and minority members of the committee.

Mr. ERVIN. Mr. President, I ask that the concurrent resolution go over.

The PRESIDING OFFICER. The resolution will be passed over.

AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

The bill (S. 2591) to amend section 602 of the Federal Property and Administrative Services Act of 1949, with respect to the utilization and disposal of excess and surplus property under the control of the executive agencies was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Government Operations with amendments on page 2, line 14, after the word "or"; to strike out "inplace"; in line 16, after the word "rights-of-way", to strike out "to power distributors"; and on page 3, line 11, after the word "interest", to strike out "Each such proposed Executive order shall be published in the Federal Register not less than 30 days prior to the issuance thereof. The President shall submit a report to the Congress in January of each year to and including

the year 1960 of all Executive orders issued hereunder during the preceding calendar year and the reasons therefor", so as to make the bill read:

Be it enacted, etc., That section 602 of the Federal Property and Administrative Services Act of 1949 (63 Stat. 399, 40 U. S. C. 474), as amended, is hereby amended by adding at the end thereof a new subsection to read as follows:

"(g) (1) Notwithstanding the provisions of subsection (d) of this section or of any law other than this act, the Administrator shall exercise the authority vested in him by this act with respect to the utilization and disposal of all excess and surplus property, real and personal, which is under the control of any executive agency, except that nothing in this act shall impair or affect any authority of—

"(A) any executive agency to dispose of property under its control when such disposal is made as specifically authorized by law in a particular manner, to a particular class or classes of persons, or for particular purposes, as part of or in furtherance of program activities of such agency, including, but not limited to, disposal by the Department of Agriculture of agricultural commodities acquired under price support or other agricultural assistance programs, and disposal by the Tennessee Valley Authority of reservoir lands, or power equipment facilities with appurtenant rights-of-way, and of other property similarly disposed of by such Authority in connection with its program activities, but the agency carrying out such program shall, to the maximum extent practicable consistent with the fulfillment of the purposes of the program and the effective and efficient conduct of its business, coordinate its operations with the requirements of this act and the policies and regulations prescribed pursuant thereto; or

"(B) the Joint Committee on Printing under the act entitled 'An act providing for the public printing and binding and the distribution of public documents', approved January 12, 1895 (53 Stat. 601), as amended, or any other act.

"(2) The President may by Executive order make such specific exemptions from the exercise by the Administrator of General Services of his authority under this subsection with respect to the utilization and disposal of excess and surplus property as the President deems to be necessary in the public interest.

SEC. 2. This act shall become effective 90 days after its enactment.

Mr. HILL. I should like to ask a question of one of the sponsors of the bill, the Senator from Iowa [Mr. MARTIN], who has just entered the Chamber. Would the bill, in its present form, preclude the Tennessee Valley Authority from disposing of sand, gravel, vehicles, or other construction equipment or materials?

Mr. MARTIN of Iowa. The general exemption written into the bill by the subcommittee would cover that type of vehicle, equipment, or material if the disposal of it is essential to a statutory program of the Tennessee Valley Authority, including construction equipment or materials. If the method of disposal is of no consequence or significance in the TVA program in question, of course, the GSA would handle the disposal.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DISPOSAL OF EXCESS SURPLUS PROPERTY

The Senate proceeded to consider the bill (S. 2364) to amend section 602 of the Federal Property and Administrative Services Act of 1949, with respect to the utilization and disposal of excess and surplus property under the control of executive agencies, which had been reported from the Committee on Government Operations, with amendments, as follows:

Be it enacted, etc., That the Federal Property and Administrative Services Act of 1949, as amended, is hereby further amended by inserting a comma after the word "shall" in the first line of section 505 (a), and adding the following: "with due regard to the program activities of the agencies concerned, prescribe the policies and principles to be followed by Federal agencies in the conduct of their records management programs, and."

SEC. 2. The Federal Property and Administrative Services Act of 1949 is hereby further amended as follows:

(a) By designating paragraphs (2) and (3) of subsection (a) of section 507 as paragraphs (3) and (4) and adding a new paragraph (2) to read as follows:

"(2) to direct and effect the transfer to the National Archives of the United States of any records of any Federal agency that have been in existence for more than 50 years and that are determined by the Archivist to have sufficient historical or other value to warrant their continued preservation by the United States Government, unless the head of the agency which has custody of them shall certify in writing to the Administrator that they must be retained in his custody for use in the conduct of the regular current business of the said agency."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ESTABLISHMENT OF UNIFORM FEES BY GOVERNMENT AGENCIES—RESOLUTION REFERRED TO COMMITTEE ON RULES AND ADMINISTRATION

The resolution (S. Res. 140) relative to the establishment of uniform fees and charges by Government agencies for work or other things of value performed by them was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the resolution be referred to the Committee on Rules and Administration.

The PRESIDING OFFICER. Without objection, it is so ordered.

RELIEF OF CERTAIN DISBURSING OFFICERS

The bill (H. R. 7034) to provide permanent authority for the relief of certain

disbursing officers, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF ACCOUNTABLE OFFICERS OF THE GOVERNMENT

The bill (H. R. 7035) to amend section 1 of the act entitled "An act to authorize relief of accountable officers of the Government, and for other purposes," approved August 1, 1947 (61 Stat. 720), was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN LAND TO KERR COUNTY, TEX.

The joint resolution (H. J. Res. 276) to authorize the Texas Hill Country Development Foundation to convey certain land to Kerr County, Tex., was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF PORTION OF FORMER O'REILLY GENERAL HOSPITAL, SPRINGFIELD, MO.

The bill (H. R. 482) to provide for the conveyance of a portion of the former O'Reilly General Hospital, Springfield, Mo., to the State of Missouri, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

ACCEPTANCE AND MAINTENANCE OF PRESIDENTIAL LIBRARIES

The Senate proceeded to consider joint resolution (H. J. Res. 330) to provide for the acceptance and maintenance of Presidential libraries, and for other purposes, which had been reported from the Committee on Government Operations, with amendments, on page 2, line 10, after the word "subsection", to strike out "(g)" and insert "(h)"; and in line 12, after the word "new", to strike out "subsections" and insert "(subsection)."

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was ordered to a third reading, read the third time, and passed.

IMPROVEMENT OF ROCKLAND HARBOR, MAINE

The Senate proceeded to consider the bill (S. 1749) adopting and authorizing the improvement of Rockland Harbor, Maine, which had been reported from the Committee on Public Works, with amendments, to strike out all after the enacting clause and insert:

That the modification of the project for improvement of Rockland Harbor, Maine, is hereby adopted and authorized substantially in accordance with the recommendations of the Chief of Engineers contained in Senate Document No. 82, 84th Congress, 1st session, at an estimated cost of \$710,000, and subject to the conditions set forth therein, the work

to be prosecuted under the direction of the Secretary of the Army and the supervision of the Chief of Engineers.

SEC. 2. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WATER FOR MUNICIPAL WATER SUPPLIES

The Senate proceeded to consider the bill (S. 2374) to authorize the Secretary of the Army to enter into contracts to furnish water for municipal water supplies from flood-control and river and harbor projects, which had been reported from the Committee on Public Works, with amendments, on page 1, line 8, after the word "contract", to strike out "either (1)"; on page 2, line 2, after the word "interest", to strike out "not exceeding the rate of 3½ percent per annum if the Secretary determines an interest charge to be proper, of an appropriate share as determined by the Secretary" and insert "at a rate equal to the current average rate (which rate shall be certified by the Secretary of the Treasury) paid by the United States on its marketable long-term (15 years or longer) loans outstanding"; at the beginning of line 10, to strike out "him" and insert "the Secretary"; and in the same line, after the word "supply", to strike out "or (2) shall be for such periods, not to exceed 40 years, and at such rates as in the Secretary's judgment will produce revenues at least sufficient to cover" and insert "together with"; in line 14, after the word "cost", to strike out "and an appropriate share of such fixed charges as the Secretary deems proper,"; and in line 16, after the word "payment", to strike out "of such rates each year", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Army (hereinafter referred to as the Secretary) may, in the operation of any flood-control or river and harbor project heretofore or hereafter constructed, enter into contracts to furnish water for municipal water supplies, including water for domestic and industrial uses. Any such contract shall require repayment to the United States, over a period of not to exceed 40 years from the year in which water is first delivered for the use of the contracting party, with interest at a rate equal to the current average rate (which rate shall be certified by the Secretary of the Treasury) paid by the United States on its marketable long-term (15 years or longer) loans outstanding, of that part of the construction costs allocated by the Secretary to municipal water supply, together with an appropriate share of the annual operation and maintenance cost, and shall require the payment in advance of delivery of water for such years.

SEC. 2. No such contract shall be entered into if it will interfere with the flood-control or navigation-improvement purposes of any such project.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MODIFICATION OF PROJECT FOR FLOOD PROTECTION ON THE SAN JOAQUIN RIVER, CALIF.

The bill (H. R. 6066) authorizing modification of the project for flood protection on the San Joaquin River and tributaries, California, was considered, ordered to a third reading, read the third time, and passed.

CONSTRUCTION OF BRIDGE ACROSS THE MISSISSIPPI RIVER NEAR FRIAR POINT, MISS., AND HELENA, ARK.

The bill (H. R. 6417) to revive and reenact the act authorizing the Arkansas-Mississippi Bridge Commission, its public successors or public assigns to construct, maintain, and operate a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark., approved May 17, 1939 was considered, ordered to a third reading, read the third time, and passed.

Mr. CASE of South Dakota subsequently said: Mr. President, I wish to state that Calendar No. 1209, H. R. 6417, is the House-passed bill to which on yesterday I proposed an amendment which might be offered, which would make a start toward accelerating the program for the interstate road program.

It was not my intention, of course, in any way to delay passage of the bill, but I desired to point out that by a simple amendment to the existing 1954 highway act, the construction of the Interstate System could be accelerated. I asked that that amendment be printed on yesterday for the information of Senators in connection with a statement which I made. That made it possible to confer with the responsible parties in the House of Representatives as to whether or not if the Senate did attach such an amendment to the bill the House would take it up for a separate vote, in the House.

I wish to report, as a matter of record, that I did confer with responsible Members in the House of Representatives, including members of the Public Works Committee. I was advised that because of the situation which developed there following their action on the bill reported by the committee, the House would not entertain a request for a separate vote on the amendment at this time. Therefore, I see no purpose in pressing for the amendment in the Senate.

Mr. President, I ask unanimous consent that the amendment which on yesterday I asked to have printed for the information of Senators, be printed as a part of my remarks at this point in the RECORD today.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

At the end of the bill, add the following new section:

"SEC. 3. (a) The first sentence of section 2 (a) of the Federal-Aid Highway Act of 1954 (relating to the appropriation authorizations for the National System of Interstate High-

Public Law 365 - 84th Congress

Chapter 803 - 1st Session

H. R. 7034

AN ACT

To provide permanent authority for the relief of certain disbursing officers, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) whenever (1) any deficiency exists or occurs in the official disbursing accounts of any disbursing officer or former disbursing officer of any department, agency, or independent establishment of the Government in consequence of the making of any illegal, improper, or incorrect payment, and (2) the Comptroller General or any officer of the General Accounting Office designated by the Comptroller General determines, upon his own motion or upon written findings and recommendations made by the head of the department, agency, or independent establishment concerned, or his designees for that purpose, that such payment was not the result of bad faith or lack of due care on the part of such disbursing officer, the Comptroller General or his designee is authorized in his discretion to relieve such disbursing officer of accountability and responsibility, and allow credit in his official disbursing accounts, for such deficiency. Such relief may be denied in any case in which the Comptroller General or his designee determines that the department, agency, or independent establishment concerned has not diligently pursued collection action in accordance with procedures prescribed by the Comptroller General.

Disbursing
officers.
Relief.

(b) Nothing contained in this section shall (1) affect the liability, or authorize the relief, of any payee, beneficiary, or recipient of any illegal, improper, or incorrect payment, or (2) relieve any such disbursing officer, the head of any department, agency, or establishment, or the Comptroller General of responsibility to pursue collection action against any such payee, beneficiary, or recipient. This section shall not deprive any such disbursing officer of any right which he otherwise may have to obtain relief by any other means with respect to any illegal, improper, or incorrect payment.

(c) Whenever it is necessary in the opinion of the Comptroller General to restore or otherwise adjust in the account of any disbursing officer any amount as to which relief is granted under this section, such amount, unless another appropriation is specifically provided therefor, shall be charged to the appropriation or fund available for the expense of the disbursing function at the time the adjustment is effected.

SEC. 2. (a) The Act entitled "An Act to authorize relief of disbursing officers of the Army on account of loss or deficiency of Government funds, vouchers, records, or papers in their charge", approved December 13, 1944 (58 Stat. 800 as amended; 31 U. S. C. 95a), is amended to read as follows:

69 Stat. 687.

69 Stat. 688.

"That whenever (1) any disbursing officer of the Army, Navy, Air Force, or Marine Corps incurs or has incurred a physical loss or deficiency of any Government funds, vouchers, records, or papers in his charge and (2) the Secretary of the department concerned determines that such loss or deficiency occurred while the officer was in line of his duty and that such loss or deficiency occurred without fault or negligence on his part, the General Accounting Office shall relieve such officer of the liability for such loss or deficiency, or authorize the reimbursement, from any appropriation or fund made available for that purpose, of amounts paid by or on behalf of such officer in restitution of such loss or deficiency. Any determination made by the Secretary of the department concerned under this Act shall be conclusive upon the General Accounting Office. No relief may be granted under this Act with respect to any deficiency in the accounts of any

disbursing officer which results from any illegal or erroneous payment. This Act shall not deprive any disbursing officer of any right which he otherwise may have to obtain relief by any other means with respect to any loss or deficiency covered by this Act."

(b) No reimbursement shall be made under the amendment made by subsection (a) for any loss or deficiency occurring before the date of enactment of this Act.

Repeal.

SEC. 3. The second paragraph under the heading "Pay, miscellaneous", of the first section of the Act of July 11, 1919 (41 Stat. 132, as amended; 31 U. S. C. 105) is hereby repealed.

Approved August 11, 1955.

